



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3501 FAX (603) 271-6683



LETTER OF DEFICIENCY

No. WD SS 2002-03

April 23, 2002

Mr. Howard Vosburg
7 Berry Road
Nottingham, NH 03290

Change of Use of Property

Mr. Vosburg:

On April 22, 2002, personnel from the Department of Environmental Services, Water Division ("DES") received information concerning your property, located on Berry Road, Nottingham, NH, ("the Property"). The purpose of this information was to inform DES that you are not in compliance with RSA 485-A and it's implementing regulations, the Subdivision and Individual Sewage Disposal System Design Rules, Env-Ws 1000 ("the Rules").

Based on the information provided, the following deficiency was noted:

1. You have expanded the use of the Property from residential to commercial rental, without obtaining construction approval from DES for a septic system to handle the additional waste loading from this expansion.

DES expects the above deficiency to be permanently corrected within 20 days by initiating and completing the following measures:

- 1 Engage a permitted septic system designer to prepare and submit septic system plans and specifications to DES for the total waste load generated on the Property.

2. Obtain approval to construct the system

DES believes the cited deficiencies will be corrected within 20 days and a report describing the corrective measures can be submitted to this office within 30 days of receipt of this letter.

If compliance is not achieved within this period, DES may take further action against you, including issuing an order requiring the above items to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. In addition, DES personnel will inspect the Property at a later date to determine whether you have come into, and are maintaining, full compliance with all applicable statutes and directives.

The written report as requested above should be addressed as follows:

Richard J. de Seve, SSB, DES
Department of Environmental Services
6 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Your prompt cooperation is appreciated. Should you have any questions regarding this letter, please contact Richard J de Seve at 271-3442

Sincerely,

 **COPY**

William E. Evans, P.E.
Administrator
Subsurface Systems Bureau

WEE/RJD

CERTIFIED MAIL 7099 3400 0003 0695 8869

Cc: James G. Falicon, SSB, DES
Gretchen C. Rule, Enforcement Coordinator, DES ✓
Russell A. Nylander, Chief Engineer, WD
Board of Selectmen, Town of Nottingham
C. Smith, Town of Nottingham Building Inspector
Richard J. de Seve, SSB, DES